a resilient member having an adhesive substance thereon, the resilient member included in at least a portion of the first and second end regions and the intermediate segment which resilient member is capable, at least in part, of resilient deformation that, through [an] the adhesive substance in contact therewith on a surface thereof oriented at least in part the same way as the adhesives face on said first and second end regions to engage the outer wall tissues, tends to cause the first and second end regions to separate from one another after being urged toward one another to give the truss member a tendency to return to its initial state when flexed to thereby act to stabilize the outer wall tissue and so prevent the outer wall tissue of the first and second nasal passages from drawing in during breathing while allowing the truss member to conform to the outer wall tissue of the nasal passages of a user's nose, the truss member including an adhesive void and configured to extend about a user's nose such that the intermediate segment traverses an exterior region of the bridge of a nose with the adhesive void located between the truss member and the bridge.

N1

Sub Q2

32. (Thrice Amended) A nasal dilator capable of introducing separating stresses in outer wall tissues of a user's nose, said dilator comprising:

N2

a truss having a resilient member and adhesive therein and having a pair of spaced apart end surfaces with an intermediate segment therebetween such that forcing said end surfaces toward one another from initial positions to substantially reduce direct spacing therebetween by a spacing reduction force external to said truss results in restoring forces in said truss tending to restore said direct spacing between said end surfaces, said resilient member being in

Sub Q2

N2

contact with adhesive at a surface thereof [oriented] which surface faces directions at least in part that [as] are faced by said end surfaces of said truss; and

engagement means adhered to said end surfaces and capable of sufficiently engaging exposed surfaces of such outer wall tissues adjacent thereto [sufficiently] faced by said end surfaces to remain so engaged against said restoring forces and to hold said truss substantially conformed about said outer wall tissues but without at least a substantial portion of said intermediate segment being so engaged with said outer wall tissues adjacent thereto when concurrently in contact therewith.

Sub Q3

N3

36. (Twice Amended) A nasal dilator capable of introducing separating stresses in outer wall tissues of a user's nose, said dilator comprising:

a truss having both a flexible strip of material and a resilient member therein, and further having a pair of spaced apart end surfaces with an intermediate segment therebetween such that forcing said end surfaces toward one another from initial positions to substantially reduce direct spacing therebetween by a spacing reduction force external to said truss results in restoring forces in said truss tending to restore said direct spacing between said end surfaces, said resilient member being in contact with an adhesive at a surface thereof [oriented] which surface faces directions at least in part that [as] are faced by said end surfaces of said truss to thereby be adhered to said flexible strip of material also in contact with said adhesive; and

engagement means adhered to said end surfaces and capable of sufficiently engaging exposed surfaces of such outer wall tissues [sufficiently] faced by said end surfaces to remain so engaged against said restoring forces.

Sub Q4

47. (Twice Amended) A nasal dilator capable of introducing separating stresses in outer wall tissues of a user's nose, said dilator comprising:

a truss having both a flexible strip of material and a resilient member therein, and further having a pair of spaced apart end surfaces such that forcing said end surfaces toward one another from initial positions to substantially reduce direct spacing therebetween by a spacing reduction force external to said truss results in restoring forces in said truss tending to restore said direct spacing between said end surfaces said resilient member and said flexible strip of material each being in contact with an adhesive at a surface thereof [oriented] which surfaces faces directions at least in part that [as] are faced by said end surfaces; and

engagement means adhered to said end surfaces and capable of sufficiently engaging exposed surfaces of such outer wall tissues [sufficiently] faced by said end surfaces to remain so engaged against said restoring forces including having any portions of said flexible strip of material positioned against these outer wall tissues as a result of such engaging thereof being directly adhered to those outer wall tissues.

N4

REMARKS

This communication is in response to the Action of February 29, 2000. In that Action, claims 3, 24 through 26, 32 through 34, 36 through 38, 40 and 45 through 48 were rejected while claim 35 was objected to as depending on a rejected claim.

The applicant has amended claim 3 for purposes of clarification thereof.

The Examiner first rejects claim 3 under 35 U.S.C. 112 on the grounds of lack of clarity. An example of acceptable phrasing was provided by the Examiner which the applicant has adopted in amending claim 3, and thereby believes this rejection has been overcome.